Amendments to the Claims

Claims 1-7 **(Cancelled)**

Claim 8 **(Currently Amended)** An optical disc comprising:

a ~~at least~~ first ~~and second~~ data recording layer ~~layers~~; and

a second data recording layer, wherein ~~with~~

at least the first data recording layer is ~~being~~ optically recordable, ~~wherein:~~

the first data recording layer comprises ~~a~~ data areas ~~area~~ and ~~an~~ address areas ~~area~~ for identifying a location in the data areas ~~area~~,

the address areas contain a pit and land sequence, and

the address areas are disposed not in a straight line from an inner side to an outer side of the optical disc, but are offset a substantially constant disc center angle q (angle to the disc center) at each increment of a constant distance radially to the optical disc.

Claim 9 **(Currently Amended)** An optical data recording method for recording data to a ~~the~~ first data recording layer of an optical disc having at least the first data recording layer and a second data recording layer ~~layers~~ with at least the first data recording layer being optically recordable, the optical data recording ~~said~~ method comprising:

determining for specific area units whether recording is possible; and

recording dummy data to an area determined to be unrecordable after recording data originally designated to be recorded to the area determined to be unrecordable is recorded to a spare area.

Claim 10 **(Currently Amended)** An optical data recording method as claimed in claim 9,

wherein a specific area unit is determined to be unrecordable when reading address data assigned to the specific ~~said~~ area unit does not meet specific reading conditions.

Claims 11-13 **(Cancelled)**

Claim 14 **(New)** An optical disc comprising:

a first data recording layer; and

a second data recording layer, wherein

at least the first data recording layer is optically recordable,

the first data recording area comprises data areas and address areas for identifying a location in the data areas,

the address areas contain a pit and land sequence, and

the address areas are disposed offset a substantially constant disc center angle q (angle to the disc center) at each increment of a constant distance radially to the optical disc such that address areas contained in a light spot on a recording layer not being reproduced are aligned so as not to be straight in a disc-radial direction.